

**MSFT – 0189**

**Re: Zhen, Li B (Examiner)**

**43 & 46 – activation definition**

- Both rejected under §102 over May
- In May, activation of the software allows some use of the software, and while in non-active form, the software cannot be used at all.
- By contrast, in claim 43 and 46, when the software is in non-active form, it still allows some access.

**51 – software change v. databank change**

- Rejected under §103(a) as being obvious over May in view of Rabne
- In Rabne, “all of the required updates have been made, the newly created holding’s data is permanently stored into an RM library”
- In Claim 51,
  - when software changes from non-activated to activated, it cannot go back to its previous original state.
  - moreover, the cited portion of Rabne discusses changes to the content at a database/data bank, not changes to the functionality of the software.

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This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1 (original). A computer-readable medium having computer-executable to perform acts comprising:

- detecting the installation of predetermined software;
- detecting an activation status of said predetermined software; and
- if said activation status indicates that said predetermined software is not activated, launching an activation feature to activate said predetermined software.

2 (original). The computer-readable medium having computer-executable instructions as recited in claim 1, wherein the computer-executable instructions are wrapped by one or more scripting functions using a client scripting language.

3 (original). The computer-readable medium of claim 2, wherein said client scripting language is selected from the group consisting of: Java and VISUAL BASIC.

4 (original). The computer-readable medium of claim 2, wherein said one or more scripting functions enable use of said computer-executable instructions with at least two different browsing programs.

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5 (original). The computer-readable medium of claim 1, wherein said activation feature is implemented by said predetermined software, and wherein said act of launching said activation feature comprises the act of launching said predetermined software.

6 (original). The computer-readable medium of claim 1, wherein said predetermined software comprises a text-viewing application program.

7 (original). The computer-readable medium of claim 6, wherein said predetermined software enables the viewing of a first plurality of titles regardless of the activation status of said predetermined software, and wherein said predetermined software enables the viewing of a second plurality of titles only if said predetermined software is activated.

8 (original). The computer-readable medium of claim 1, wherein said computer-executable instructions further comprise instructions to perform the act of providing an activation certificate.

9 (original). The computer-readable medium of claim 8, wherein said computer-executable instructions further comprise instructions to perform the act of providing data which identifies a user who activates said predetermined software.

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10 (original). A method of interacting with software on a remote computing device, said method comprising the acts of:

transmitting to said remote computing device a first instruction to detect an activation status of said software; and

transmitting to said remote computing device a second instruction to launch an activation feature on said remote computing device, the launch occurring only if said activation status indicates that said software is not activated.

11 (original). The method of claim 10, wherein said first and second instructions are transmitted to said remote computing device in the form of script functions, said script functions being performable on said remote computing device.

12 (original). The method of claim 11, wherein said script functions are interpretable by a web browser using a scripting language.

13 (original). The method of claim 12, wherein said scripting language is selected from the group consisting of: Java and VISUAL BASIC.

14 (original). The method of claim 10, wherein said first and second instructions are transmitted in an HTTP web page.

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15 (original). The method of claim 10, further comprising the act of transmitting a third instruction to detect whether said software is installed on said remote computing device.

16 (original). The method of claim 10, wherein said first and second instructions are implemented by way of a COM object on said first computing device.

17 (original). The method of claim 10, wherein said first and second instructions are implemented as a browser plug-in on said first computing device.

18 (original). The method of claim 10, further comprising the act of transmitting to said remote computing device a third instruction to information to retrieve information identifying an activator of said software.

19 (original). The method of claim 10, further comprising the act of transmitting to said remote computing device a third instruction to retrieve an activation certificate from said remote computing device.

20 (original). The method of claim 10, wherein said software comprises a digital content rendering application.

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21 (original). The method of claim 20, wherein said remote computing device is associated with a consumer of digital content .

22 (original). A computer-readable medium having computer-executable instructions to perform the method of claim 10.

23 (original). A method of supporting an electronic distribution infrastructure, said method comprising the acts of:

providing, to a first party, at least one of the following:

a first set of computer-executable instructions for use with first browsing software; and

a second set of computer-executable instructions for use with second browsing software,

and

providing, to a second party, a browser-executable script which uses either said first or said second sets of computer-executable instructions, according to whether said script is executed under said first or said second browsing software, to perform one or more actions, wherein said one or more actions are selected from the group consisting of:

detecting the installation of software;

detecting the activation of said software;

launching a feature to activate said software;

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providing information related to the identity of said first party; and  
providing an activation certificate associated with said first party.

24 (original). The method of claim 23, wherein said group consists of:

detecting the activation of said software;  
launching a feature to activate said software;  
providing information related to the identity of said first party; and  
providing an activation certificate associated with said first party.

25 (original). The method of claim 24, wherein said group consists of: providing an  
activation certificate associated with said first party.

26 (original). The method of claim 23, wherein said first party is a consumer of digital  
content, and wherein said second party is a distributor of digital content.

27 (original). The method of claim 26, wherein said second party distributes information  
supplied by a third party.

28 (original). The method of claim 26, wherein said information comprises an electronic  
book.

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29 (original). The method of claim 26, wherein said digital content comprises multimedia files.

30 (original). The method of claim 29, wherein said multimedia files comprise one or more of the following: music, video, animations, and pictures.

31 (original). The method of claim 23, wherein said browser-executable script comprises a scripting language.

32 (original). The method of claim 31, wherein said scripting language is selected from the group consisting of: Java and VISUAL BASIC.

33 (original). The method of claim 23, wherein said first set of computer-executable instructions comprises a COM object for use with a MICROSOFT INTERNET EXPLORER browser, and wherein said second set of computer-executable instructions comprises a plug-in for use with a NETSCAPE NAVIGATOR browser.

34 (original). The method of claim 23, wherein said browser-executable script is transmittable by said second party to said first party using the hypertext transport protocol.



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35 (original). A computer-readable medium having computer-executable instructions to perform the method of claim 23.

36 (original). A method of engaging in a transaction with a remote computing device, said method comprising the acts of:

- including a script of instructions in a web page; and
- transmitting said web page to said remote computing device;
- wherein said instructions are selected from the group consisting of:

- detecting the installation of software;

- detecting the activation of said software;

- launching a feature to activate said software;

- providing information related to the identity of a user of said computing

device; and

- providing an activation certificate associated with said user.

37 (original). The method of claim 36, wherein said group consists of:

- detecting the activation of said software;

- launching a feature to activate said software;

- providing information related to the identity of said user; and

- providing an activation certificate associated with said user.

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38 (original). The method of claim 37, wherein said group consists of providing an activation certificate associated with said user.

39 (original). The method of claim 36, wherein said script comprises a client scripting language.

40 (original). The method of claim 39, wherein said scripting language is selected from the group consisting of: Java and VISUAL BASIC.

41 (original). The method of claim 36, wherein said script includes instructions to:  
detect whether said script is executing on first browsing software or second browsing software; and  
perform either a first action or a second action according to whether said script is executing on said first or said second browsing software.

42 (original). A computer-readable medium having computer-executable instructions to perform the method of claim 36.

43 (new). The computer-readable medium of claim 1, wherein said software can exist in either an activated state or a non-activated state, wherein said software is enabled to perform a

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first set of actions when said software is in said non-activated state, and wherein said software is enabled to perform said first set of actions and a second set of actions when said software is in said activated state.

44 (new). The computer-readable medium of claim 43, wherein said software is associated with a first persona when said software is in said activated state, and wherein said second set of actions comprises actions that said first persona is permitted to perform and that a second persona is not permitted to perform.

45 (new). The computer-readable medium of claim 44, wherein said second set of actions comprises the rendering of digital content items that are licensed for use by said first persona and are not licensed for use by said second persona.

46 (new). The method of claim 10, wherein said software can exist in either an activated state or a non-activated state, wherein said software is enabled to perform a first set of actions when said software is in said non-activated state, and wherein said software is enabled to perform said first set of actions and a second set of actions when said software is in said activated state.

47 (new). The method of claim 46, wherein said software is associated with a first persona when said software is in said activated state, and wherein said second set of actions

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comprises actions that said first persona is permitted to perform and that a second persona is not permitted to perform.

48 (new). The computer-readable medium of claim 47, wherein said second set of actions comprises the rendering of digital content items that are licensed for use by said first persona and are not licensed for use by said second persona.

49 (new). The method of claim 23, wherein said software can exist in either an activated state or a non-activated state, wherein said software is enabled to render a first set of content items when said software is in said non-activated state, wherein said software is enabled to render said first set of content items and a second set of content items when said software is in said activated state, said second set of content items being licensed to said first party, there being a second party to which said second set of content items is not licensed, said second set of content items being cryptographically bound to said activation certificate associated with said first party.

50 (new). The method of claim 36, wherein said software can exist in either an activated state or a non-activated state, wherein said software is enabled to render a first set of content items when said software is in said non-activated state, wherein said software is enabled to render said first set of content items and a second set of content items when said software is in said activated state, said second set of content items being licensed to said user, there being a

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second user different from said user to which said second set of content items is not licensed,  
said second set of content items being cryptographically bound to said activation certificate  
associated with said user.

51 (new). The method of claim 50, wherein said software is initially installed in said non-activated state, and wherein said software cannot be returned to said non-activated state after said software has been placed in said activated state.